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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/747,110	12/21/2000	Arnoldus Johannes Juliana Boudewijns	PHN 17,830	1476

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS
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EXAMINER

ABDULSELAM, ABBAS I

ART UNIT	PAPER NUMBER
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2674

DATE MAILED: 08/11/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/747,110

Applicant(s)

BOUDEWIJNS ET AL.

Examiner

Abbas I Abdulsalam

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 April 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kage et al. (USPN 6377241).

Regarding claim 1, Kage et al. (herein after = "Kage") teach an information processing device Fig. 9 (101) connectable to a displacement signal generating device (Fig. 9 (104)), characterized in that a memory is present (Fig. 9 (102)), and in that means are present for, upon clicking of the displacement signal generating device button (Fig. 11), assigning to the information processing device pointer coordinates as a function of pointer coordinates present in the memory (col. 14, lines 9-28).

However, Kage does not specifically teach, "means for storing pointer coordinates in the memory on a first-in first-out basis". Kage on the other hand teaches a coordinate updating section (5) in which coordinates of a pointer stored in a memory are updated (col. 11, lines 18-20).

Therefore, it would have been to one of ordinary skill in the art at the time the invention was made to utilize kages' coordinate updating section (5) for the manner by which pointer

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coordinates are stored. One would have been motivated in view of the suggestion that coordinate updating section (5) is functionally equivalent to “storing based on first in first out basis”.

Regarding claim 2, kage teaches the function enables pointer coordinates that have been present in the memory for the longest period of time to be assigned to the information-processing device (Fig. 4A-C and col. 8, lines 21-33).

Regarding claim 3, Kage teaches the function enables pointer coordinates to be assigned to the information processing device, which pointer coordinates are an average of certain pointer coordinates inputted into the memory during a first predetermined period of time before clicking and during a second predetermined period of time after clicking (Fig. 4A-C, col. 8, lines 21-33 and col.9, lines 20-39).

Regarding claim 4, Kage teaches the function enables pointer coordinates to be assigned to the information processing device, which pointer coordinates are an average of certain pointer coordinates inputted into the memory during a first number of information processing device clock cycles before clicking and during a second predetermined number of information processing device clock cycles after clicking (Fig. 4A-C, col. 8, lines 21-33 and col.9, lines 20-39).

Regarding claim 5, Kage teaches the second period of time and the second predetermined number of information processing device clock cycles, respectively, are zero, and in that the

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function enables pointer coordinates that are an average of certain pointer coordinates present in the memory at the instant of clicking to be assigned to the information processing device (Fig. 4A-C, col. 8, lines 21-33 and col.9, lines 20-39).

Regarding claim 6, Kage teaches certain pointer coordinates present in the memory at the instant of clicking are all pointer coordinates present in the memory at the instant of clicking (Fig. 10 (4, 5)).

Regarding claim 7, Kage teaches the means for assigning comprise a computer program (col. col. 6, lines 23-27).

Regarding claim 8, Kage teaches at least the memory, or the storing means, or the means for assigning, are at least partly present in the displacement signal generating device (col. 10, lines 31-37).

Conclusion

2. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following arts are cited for further reference.

U.S. Pat. No. 5,745,098 to Yamagi

U.S. Pat. No. 5,920,314 to Masesano et al.

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3. Any inquiry concerning this communication or earlier communication from the examiner should be directed to **Abbas Abdulsalam** whose telephone number is **(703) 305-8591**. The examiner can normally be reached on Monday through Friday (9:00-5:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Richard Hjerpe**, can be reached at **(703) 305-4709**.

Any response to this action should be mailed to:

Commissioner of patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 872-9314

Hand delivered responses should be brought to crystal park II, Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).


Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology center 2600 customer Service office whose telephone number is (703) 306-0377.

Abbas Abdulsalam

Examiner

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August 5, 2004


XIAO WU
PRIMARY EXAMINER